IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.138 OF 2005

Ranjit Singh Balibirsingh Grover. ... Applicant.
Versus.
Niketan Finance Ltd. & anr. ... Respondents.

Shri S.N.Chimade for the Applicant.

Shri Rajendra Sorankar for the Respondent No.1.

Ms.M.M.Deshmukh, A.P.P. for Respondent No.2-State.

CORAM : ABHAY S. OKA, J.

DATED : 6th Sept., 2005.

P.C.:

1. The learned Advocates appearing for the Applicant and the Respondent No.1 have placed on record consent terms duly signed by them as well as by the Petitioner and the authorised representative of the Respondent No.1. It is stated that both the signatories are present in the Court and they admit the correctness of the contents of the consent terms. The consent terms provide that the Petitioner has no objection for the Respondent No.1 withdrawing a sum of Rs.1 lakh deposited by the Applicant in this Court. The consent terms also record that a further amount of Rs.50,000/- has been paid by the Petitioner to the Respondent No.1. The Respondent No.1 which is the original complainant has recorded that the Respondent No.1 has no objection if the order of substantive sentence is set aside. The Advocates appearing for the Petitioner and the

Respondent No.1 stated that the Revision Application may be disposed of in view of the consent terms by quashing and setting aside the order of conviction and sentence.

2. Considering the facts and circumstances and considering the fact that there is an overall settlement between the Petitioner and the Respondent No.1, the conviction and sentence of the Petitioner deserves to be quashed and set aside.

3. Accordingly the Revision Application is allowed in terms of prayer clause (a) and (b). The Respondent No.1 will be entitled to withdraw the sum of Rs.1 lakh deposited by the Applicant in this Court. Withdrawal to be allowed expeditiously.

Judge.